

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JASON YATES,

Petitioner,

v.

STEWART RYAN, Warden,

Respondent.

No. C-04-02445 WHA

**~~PROPOSED~~ ORDER EXTENDING TIME
FOR BRIEFING AND HEARING ON
RULE 60(B) MOTION**

Before: HON. WILLIAM ALSUP

Petitioner's Motion to Extend Time For Briefing and Hearing on Rule 60(b) Motion is granted. Petitioner shall file the rule 60(b) motion and points and authorities by November 21, 2007. Respondent shall file an opposition by December 21, 2007. Petitioner's reply will be due by December 28, 2007. The hearing for the rule 60(b) motion is set for Thursday, January 10, 2008, at 8 a.m.

IT IS SO ORDERED.

Dated: 10-9-07

W. Alsop
WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

DECLARATION OF SERVICE BY MAIL

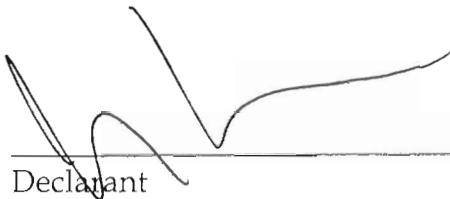
I, the undersigned, declare that I am over 18 years of age and not a party to the within cause. I am employed in the County of San Francisco, State of California. My business address is 730 Harrison Street, Suite 201, San Francisco, CA 94107. On October 2, 2007, I caused to be served a true copy of the attached Proposed Order Extending Time For Briefing and Hearing on Rule 60(b) Motion on each of the following, by placing same in an envelope(s) addressed as follows:

Jeremy Friedlander
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-3664

Jason Yates
K11845
California State Prison at Calipatria
P.O. Box 5002
Calipatria, CA 92233-5002

Each said envelope was sealed and the postage thereon fully prepaid. I am familiar with this office's practice of collection and processing correspondence for mailing with the United States Postal Service. Under that practice each envelope would be deposited with the United States Postal Service in San Francisco, California, on that same day in the ordinary course of business.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on October 2, 2007, at San Francisco, California.



Declarant